

Sears Tower, Suite 5800
 233 S. Wacker Dr.
 Chicago, Illinois 60606
 Tel: (312) 876-7700 Fax: (312) 993-9767
www.lw.com

LATHAM & WATKINS LLP

May 2, 2005

VIA HAND DELIVERY

Honorable Gregory M. Sleet
 United States District Judge
 United States District Court
 844 North King Street
 Wilmington, DE 19801

FIRM / AFFILIATE OFFICES	
Boston	New York
Brussels	Northern Virginia
Chicago	Orange County
Frankfurt	Paris
Hamburg	San Diego
Hong Kong	San Francisco
London	Shanghai
Los Angeles	Silicon Valley
Milan	Singapore
Moscow	Tokyo
New Jersey	Washington, D.C.

File No. 03I484-0002

Re: In re GST Telecom Inc., Case No. 00-1982 (GMS); GST Telecom Inc. v.
John Warta, Civil Action No. 04cv1380 (GMS)

Dear Judge Sleet:

This letter is in response to Ricardo Palacio's letter to the Court dated April 29, 2005, regarding GST Telecom Inc.'s ("GST") Motion for Fees and Costs (D.I. 29).

The Motion for Fees and Costs requests that Warta be ordered to pay to GST \$8,917.11 in costs incurred by GST as a result of Warta's failure to timely notify GST of Warta's Motion for Protective Order (D.I. 24), which ultimately postponed the February 8, 2005 deposition of John Goodrich. Warta filed the Motion for Protective Order on a Friday afternoon, February 4, two business days before the Goodrich deposition was scheduled to take place. The Motion for Protective Order was not received by local counsel for GST until Monday morning, by which time GST's lead counsel, Mr. Gibbons, was on a flight to California to attend the deposition.

After landing in California, Mr. Gibbons was notified of the filing of the Motion for Protective Order. At that point, having wasted essentially two days, Mr. Gibbons made the judgment to use his time productively by meeting with the witness. The fees and costs requested by GST did not include any time spent with Mr. Goodrich, and indeed, did not include additional time spent by Mr. Gibbons on those two days. The California trip would not have occurred had GST been promptly informed of the filing of the Motion for Protective Order.

Judge Sleet
May 2, 2005
Page 2

LATHAM & WATKINS LLP

Should the Court have any questions regarding this matter, we are available at the Court's convenience.

Respectfully submitted,

/s/ Danielle S. Kemp

Danielle S. Kemp

cc: Steven Yoder, Esq.
Joseph Arellano, Esq.
Daniel Keppler, Esq.
Ricardo Palacio, Esq.